

LAW OFFICES OF  
**McGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC**

A PROFESSIONAL LIMITED LIABILITY COMPANY  
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW  
8321 OLD COURTHOUSE ROAD, SUITE 200  
VIENNA, VIRGINIA 22182-3817  
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SCOTT M. TULINO  
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DONALD A. DIPALA†  
JEONYU LIN\*  
CHRISTOPHER R. MONDAY†  
FARHAD SHIR, Ph.D. \*\*  
JOSEPH P. HRUTKAY†

†MEMBER OF BAR OTHER THAN VA  
\*JURIS DOCTOR, REGISTERED PATENT AGENT  
\*\*REGISTERED PATENT AGENT

June 11, 2008

VIA FACSIMILE

To: Mai  
Deposit Accounts  
U.S.P.T.O.

Facsimile No.: (571) 273-6500

From: Sean M. McGinn

Facsimile No.: (703) 761-2375

Re: April 30, 2008 Deposit Account Statement  
U.S. Patent Application No.: 10/528,107  
Our Ref.: SHO.003

Dear Mai:

Two (2) amounts of \$130.00 was deducted from our Deposit Account 50-0481 on April 4, 2008, for fee code 1814, Terminal Disclaimer.

Our records show that we filed the Amendment on November 21, 2007 along with check number 5491, in the amount of \$260.00 Terminal Disclaimer. Therefore, \$260.00 was charged in error and should be refunded.

Attached is a copy of our date-stamped postcard indicating the filing of the Amendment on November 21, 2007. Also, enclosed is a copy of Check number 5491. For your convenience, enclosed is a copy of the April 31, 2008 Monthly Statement of Deposit Account.

Thank you in advance for your consideration on this case.

Very truly yours,

  
Sean M. McGinn

SMM/cmc

ARF-086US  
SHO.003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hirobumi Toyoda

Serial No.: 10/528,107

Group Art Unit: 3711

Filed: November 21, 2007

Examiner: Dolores Collins

For: GAME MACHINE AND PROGRAM

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

ATTENTION: FINANCE DIVISION

Sir:

REQUEST FOR REFUND

Two (2) amounts of \$130.00 were deducted from our Deposit Account 50-0481 on April 4, 2008, for fee code 1814, Terminal Disclaimer.

Our records show that we filed the Amendment on November 21, 2007 along with check number 5491, in the amount of \$260.00 Terminal Disclaimer. Therefore, \$260.00 was charged in error and should be refunded. .

Therefore, Applicant respectfully requests that the \$260.00 fee be refunded to Attorney's Deposit Account No. 50-0481. Please credit any overpayment of fees to Attorney's Deposit Account number 50-0481.

Respectfully Submitted,

Date:

6/12/08



Sean M. McGinn, Esq.  
Reg. No. 34,386

McGinn IP Law Group, PLLC  
Intellectual Property Law  
8321 Old Courthouse Road, Suite 200  
Vienna, VA 22182-3817  
(703) 761-4100  
Customer No. 21254



## UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent and Trademark Office  
P.O. Box 1  
Alexandria, VA 22313-1  
www.uspto.gov

## MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion  
with your check. Make checks payable to "Director of the USPTO."

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VIENNA VA 22182-3817

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MAY 12 2008

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Account No.	500481
Date	4-30-08
Page	1

PLEASE SEND REMITTANCES TO:  
U.S. Patent and Trademark Office  
P.O. Box 979065  
St Louis, MO 63197-9000

Call the Deposit Account Branch at 571-272-6500 for assistance.

DATE POSTED MO. DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
4 1 08	59	11217441	0004074US	2252	100.00	9656.00
4 1 08	68	09850383	YOR920010417US1	1201	210.00	9446.00
4 1 08	69	09850383	YOR920010417US1	1801	810.00	8636.00
4 2 08	335	11992849	06P712FF-USPO/HK	8021	40.00	8596.00
4 4 08	64	10528107	ARF-086US	1814	130.00	8466.00
4 4 08	65	10528107	ARF-086US	1814	130.00	8336.00
4 4 08	7	11792859	K06-210807/TBS	1618	-130.00	8466.00
4 7 08	4	11885504		9204	-100.00	8566.00
4 9 08	5	11662096		9204	-100.00	8666.00
4 9 08	1	11154512	H07-188633M/OSK	1251	-120.00	8786.00
4 9 08	2	11154512	H07-188633M/OSK	1251	-120.00	8906.00
4 9 08	26	11578776		9204	-50.00	8956.00
4 11 08	33	11579543		9204	-100.00	9056.00
4 11 08	23	10829990	K06-167794M/TBS	1253	1050.00	8006.00
4 11 08	11	12083313	FPA-2007-0152-NEC-PCT-YYD	1631	310.00	7696.00
4 11 08	12	12083313	FPA-2007-0152-NEC-PCT-YYD	1633	210.00	7486.00
4 11 08	13	12083313	FPA-2007-0152-NEC-PCT-YYD	1632	510.00	6976.00
4 15 08	3	10532342	SNK-001-US	1201	210.00	6766.00
4 15 08	4	10532342	SNK-001-US	1202	350.00	6416.00
4 15 08	3	11218530	PTGF-05069	1202	50.00	6366.00
4 15 08	10	11596664		9204	-500.00	6866.00
4 15 08	11	11596664	MIH-223122M/TRK	1642	400.00	6466.00
4 17 08	374	11626406	YOR920060609US1	8021	40.00	6426.00
4 18 08	1	10820021	PHCF-0018901V	1202	50.00	6376.00
4 18 08	1	11072574	63603/04	1806	180.00	6196.00
4 22 08	2	11184830	KIT-610-US	1202	150.00	6046.00
4 22 08	2	11230534	274469/04	1201	210.00	5836.00
4 24 08	39	10902482	PTGF-04032	1202	100.00	5736.00
4 25 08	10	11122101	176990/04	1464	130.00	5606.00
4 25 08	11	11122101	176990/04	1801	810.00	4796.00
4 28 08	3	11792304	NFT04003PUS	2617	65.00	4731.00
4 29 08	5	10874270	04USFP976-M-K.	1201	1260.00	3471.00

AN AMOUNT SUFFICIENT TO

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PAGE 3/8 \* RCVD AT 6/12/2008 9:47:37 AM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-5/16 \* DNS:2736500 \* CSID:7037612376 \* DURATON (mm:ss):01:52 \* BALANCE



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4	29	08	5	10874270	04USFP976-M-K.	1201	1260.00	3471.00

AN AMOUNT SUFFICIENT TO

OPENING BALANCE TOTAL CHARGES TOTAL CREDITS CLOSING BALANCE

# **TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.  
ARF-086US

In re Application of: **Hirobumi TOYODA**  
Application No. **10/528,107**  
Filed: **March 16, 2005**  
For: **GAME MACHINE AND PROGRAM**

The owner, **ARUZE CORP.** of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **11/019,686**, filed on **December 23, 2004**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.
3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$130.00** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed. Fee was paid on 11/21/07 Check No. 5491 (copy attached with date-stamped receipt)
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **50-0481**.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

PTO suggested wording for terminal disclaimer was

- ☒ unchanged. ☐ changed (if changed, an explanation should be supplied.)

*Signature*  
**Sean M. McGinn** 34,386

*Name and Address of Person Signing*

Sean M. McGinn, Esq.  
Registration No. 34,386  
McGinn Intellectual Property Law Group, PLLC  
8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
Customer No. 21254

Dated: **April 3, 2008**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

*Signature of Person Mailing Correspondence*

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*Typed or Printed Name of Person Mailing Correspondence*

SHO.003  
 Attorney's Post Card Filing Receipt  
 Serial Number: 10,528,107 Papers Filed On: 11/21/07

Attorney's Docket Number: ARF-088US ☒ Patent ☐ Trademark

Applicant's Name: Hirobumi TOYODA Application Filing Date: 3/16/05  
 Papers Filed Herewith:

☐ Amendment ☐ Request for Extension of Time ☐ CPA Request  
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief  
☐ IDS ☐ 1449 Form w/ Documents ☐ Priority Document(s)  
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings  
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts  
☒ Other TERMINAL Disclaimer, Response under §111

Fees Filed Herewith: \$ 260.00 ☒ Check ☐ Charge Deposit Account: \_\_\_\_\_  
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 Commissioner USPTO

SHO.003; Terminal Disclaimer

11/21/2007

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Wachovia

10/528,107; ARF-088US

260.00

# **TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.

ARP-086US

In re Application of: **Hirobumi TOYODA**  
 Application No. **10/528,107**  
 Filed: **March 16, 2005**  
 For: **GAME MACHINE AND PROGRAM**

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**Sean M. McGinn, Esq.**  
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**8321 Old Courthouse Road, Suite 200**  
**Vienna, Virginia 22182-3817**  
**Customer No. 21254**

Dated: **April**, **2008**

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SHO.003  
Serial Number: 10,528,107 Attorney's Post Card Filing Receipt  
Papers Filed On: 11/21/07

Attorney's Docket Number: ARF-086US ☒ Patent ☐ Trademark

Applicant's Name: HIROBUMI TOYODA Application Filing Date: 3/16/05  
Papers Filed Herewith:

☐ Amendment ☐ Request for Extension of Time ☐ CPA Request  
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☐ IDS ☐ 1449 Form w/        Documents ☐ Priority Document(s)  
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SHO.003; Terminal Disclaimer

11/21/2007

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260.00

Wachovia

10/528,107; ARF-086US

260.00



**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**Docket No.  
ARF-086USIn re Application of: **Hirobumi TOYODA**  
Application No. **10/528,107**  
Filed: **March 16, 2005**  
For: **GAME MACHINE AND PROGRAM****RECEIVED**  
CENTRAL FAX CENTER**APR 03 2008**

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P26/REV03

Adjustment date: 06/16/2008 HDESTA1  
04/04/2008 HMARZ11 00000041 500481 10528107  
02 FC:1814 130.00 CR

04/04/2008 HMARZ11 00000041 500481 10528107  
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The owner, **ARUZE CORP.** of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **11/019,686**, filed on **December 23, 2004**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant. In the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.  
 3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$130.00** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed. Fee was paid on 11/21/07 Check No. 5491 (copy attached with date-stamped receipt)  
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **50-0481**.  
☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

PTO suggested wording for terminal disclaimer was

- ☒ unchanged. ☐ changed (if changed, an explanation should be supplied.)

*Sean M. McGinn* 34,386  
 Signature

Name and Address of Person Signing

Sean M. McGinn, Esq.  
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Dated: **April 3, 2008**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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